

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GREATER BOSTON LEGAL SERVICES,
et al.

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, *et al.*

Defendants.

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**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO
RESPOND TO MOTION
TO DISMISS**

Civ. No. 21-cv-10083

Plaintiffs respectfully request a 25-day extension (until May 28, 2021) to respond to Defendants' Motion to Dismiss in the above-captioned case. As grounds for the request, Plaintiffs state:

1. Plaintiffs—attorneys, small law firms, and a nonprofit legal services organization who represent noncitizens in immigration matters—brought an Administrative Procedure Act action against the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, and each of their respective agency heads in their official capacity. The Complaint challenges the systematic failure of the Department of Homeland Security to produce records necessary for noncitizens and their counsel to support their claims and defenses or eligibility for benefits in a range of civil immigration proceedings.

2. Plaintiffs filed their Complaint on January 15, 2021 and served Defendants on or about January 20, 2021.

3. On March 17, 2021, Defendants moved to request a 28-day extension to respond to the Complaint. The Court granted this motion and extended Defendants' deadline to respond until April 19, 2021.

4. On April 19, 2021, Defendants filed a Motion to Dismiss.

5. Plaintiffs' current deadline to respond to the Motion to Dismiss is May 3, 2021.

6. Plaintiffs' counsel have been diligently working on their response and conferring with the various stakeholders involved in the action. However, Plaintiffs' counsel require additional time to complete a response to the Motion to Dismiss and believe that the requested 25-day extension will be sufficient to allow them to complete their preparation and review of their response.

7. Undersigned counsel communicated with Defendants' counsel who indicated that they do not oppose the relief requested. *See infra* Rule 7.1(a)(2) Certification.

8. For the reasons described above, Plaintiffs contend that good cause exists for this extension.

WHEREFORE, Plaintiffs respectfully request that the Court grant this motion and extend the deadline for Plaintiffs to file a response to the Motion to Dismiss until May 28, 2021.

/s/ John T. Montgomery
John T. Montgomery (BBO #352220)
Ropes & Gray LLP
Prudential Center
Boston, MA 02199
(617) 951-7000
John.Montgomery@ropesgray.com

Dated: April 28, 2021

RULE 7.1(a)(2) CERTIFICATION

On March 15, 2021, Defendants' counsel emailed Plaintiffs' counsel regarding their intention to file a motion requesting an additional 28 days to respond to the Complaint. Plaintiffs' counsel offered not to oppose the motion, "provided that defendants agree to reciprocate the same if plaintiffs request a similar extension in the future."

On March 16, 2021, Defendants' counsel indicated that they would reciprocate, specifically writing: "Should Plaintiffs make a similar request for an extension of a deadline, Defendants intend to reciprocate your courtesy."

On April 27, 2021, Plaintiffs' counsel emailed Defendants' counsel regarding their intention to file this motion. Defendants' counsel confirmed that they would not oppose the motion.

/s/ John T. Montgomery
John T. Montgomery

CERTIFICATE OF SERVICE

I hereby certify that this document will be served on all registered parties through the court's CM/ECF system.

/s/ John T. Montgomery
John T. Montgomery